

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

BRUD ROSSMAN,

Plaintiff,

v.

No. 15cv1170 RJ/KBM

STEVEN CASE, et al.,

Defendants.

**MEMORANDUM OPINION AND ORDER**

**THIS MATTER** comes before the Court on Plaintiff's failure to comply with the Court's Order, Doc. 13, filed January 25, 2016. For the reasons stated below, the Court will **DISMISS** this case **without prejudice**.

Plaintiff filed an Application to Proceed in District Court Without Prepaying Fees or Costs (Short Form), Doc. 2, filed December 29, 2015 ("Application"). Plaintiff filed a second Application using the Short Form two days after filing his First Application. Because the Short Form Application does not provide sufficient information for the Court to determine whether a plaintiff is unable to pay the required fees, the Court requires plaintiffs seeking to proceed without prepaying fees to file the "Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)." The Court sent Plaintiff a Long Form Application, ordered Plaintiff to file the Long Form Application within twenty-one (21) days, and notified Plaintiff that failure to timely file an "Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)" may result in denial of Plaintiff's application to proceed without prepaying fees or costs. *See* Doc. 4, filed December 30, 2015.

The Court denied Plaintiff's Short Form Applications because he did not file the Long Form Application by the January 20, 2016 deadline, ordered Plaintiff to pay the \$400.00 fee for

instituting a new case or show cause why this case should not be dismissed without prejudice for failure to pay the filing fee, and notified Plaintiff that failure to timely pay the filing fee or show cause may result in dismissal of this case without prejudice. *See* Doc. 13, filed January 25, 2016. Plaintiff did not pay the \$400.00 fee or show cause by the February 16, 2016 deadline. The Court will, therefore, dismiss this case without prejudice.

**IT IS ORDERED** that this case is **DISMISSED** without prejudice.

3-2-16

  
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT  
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BRUD ROSSMAN,

Plaintiff,

v.

No. 15cv1170 RJ/KBM

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Defendants.

**FINAL ORDER**

Pursuant to Fed. R. Civ. P. 58(a), and consistent with the Court's Order dismissing Plaintiff's case,

**IT IS ORDERED** that this case is **DISMISSED** without prejudice.

3.2.14

  
UNITED STATES DISTRICT JUDGE